

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

SHARON G. WINGATE, EXECUTOR OF)
THE ESTATE OF DOUGLAS GRAY)
WINGATE, DECEASED,)

Plaintiff,)

v.)

CIVIL ACTION NO.: 7:12-cv-00576

NEW ENGLAND COMPOUNDING)
PHARMACY, INC. D/B/A NEW)
ENGLAND COMPOUNDING CENTER,)

MEDICAL SALES MANAGEMENT,)
INC.,)

and)

BARRY J. CADDEN,)

Defendants.)

NOTICE OF STAY BY REASON OF BANKRUPTCY

The defendant, New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center (“NECC”), hereby notifies the Court that NECC filed a voluntary petition under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Massachusetts (Eastern Division) No. 12-19882-HJB. Pursuant to 11 U.S.C. § 362(a) all actions against NECC are stayed.

Respectfully submitted,
Defendant New England Compounding Pharmacy, Inc.
By its Attorneys,

/s/

Rebecca S. Herbig
Bowman and Brooke LLP
1111 East Main Street, Suite 2100
Richmond, VA 23219
Telephone: 804.649.8200
Facsimile: 804.649.1762
E-mail: rebecca.herbig@bowmanandbrooke.com

Date: December 26, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of foregoing Notice of Stay by Reason of Bankruptcy was filed via CM/ECF on this 26th day of December, 2012, which will send a Notice of Electronic Filing (NEF) to the following:

J. Scott Sexton (VSB No. 29284)
Anthony M. Russell (VSB No. 44505)
Charles H. Smith, III (VSB No. 32891)
Benjamin D. Byrd (VSB No. 76560)
Daniel R. Sullivan (VSB No. 81550)
GENTRY LOCKE RAKES & MOORE, LLP
10 Franklin Road, S.E., Suite 800
P.O. Box 40013
Roanoke, Virginia 24022-0013
Telephone: (540) 983-9300
Fax: (540) 983-9400
sexton@gentrylocke.com
russell@gentrylocke.com
sullivan@gentrylocke.com
Counsel for Plaintiff

/s/

Rebecca S. Herbig (VSB No. 65548)
BOWMAN AND BROOKE LLP
1111 East Main Street, Suite 2100
Richmond, VA 23219
Telephone: 804.649.8200
Facsimile: 804.649.1762
rebecca.herbig@bowmanandbrooke.com
*Counsel for New England Compounding
Pharmacy, Inc., d/b/a New England
Compounding Center*